

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CHRISTINA CORDA,
Plaintiff,

v.

SUFFOLK COUNTY DISTRICT
ATTORNEY'S OFFICE,
Defendant.

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) CIVIL ACTION NO. 1:15-c-10628-RWZ
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**THE DEFENDANT'S, SUFFOLK COUNTY DISTRICT ATTORNEY'S OFFICE,
REQUEST FOR SUPPLEMENTAL JURY INSTRUCTIONS**

Pursuant to Fed. R. Civ. P. 51(a), the Defendant, Suffolk County District Attorney's Office, respectfully requests the following supplemental jury instruction in light of the Supreme Judicial Court's decision in *Verdrager v. Mintz, Levin, Cohn, Ferris, Golvsky & Popeo P.C.*, 2016 Mass. LEXIS 358, SJC-11901 (Mass. May 31, 2016):

SUPPLEMENTAL JURY INSTRUCTION NO. 1

RETALIATION—ELEMENTS

The Plaintiff bears the burden of proving four elements by a preponderance of the evidence. First, she must show that she reasonably and in good faith believed that the employer was engaged in wrongful discrimination. Second, she must show that she acted reasonably in response to that belief, through reasonable acts meant to oppose discrimination. Third, the employer must have taken adverse action against the employee. Fourth, the Plaintiff must show that the adverse action was caused by the Plaintiff's protected activity.

See Verdrager v. Mintz, Levin, Cohn, Ferris, Golvsky & Popeo P.C., 2016 Mass. LEXIS 358, SJC-11901 (Mass. May 31, 2016) (quoting *Pardo v. General Hosp. Corp.*, 446 Mass. 1, 21 (2006) and *Fantini v. Salem State Coll.*, 557 F.3d 22, 32 (1st Cir. 2009)).

THE DEFENDANT,
SUFFOLK COUNTY DISTRICT ATTORNEY'S
OFFICE
BY ITS ATTORNEYS,

DATE: 6/1/2016

/s/ Aaron R. White
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CERTIFICATE OF SERVICE

I hereby certify that on June 1, 2016, I filed the foregoing document filed through the ECF system which will send notice electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants.

/s/ Aaron R. White